

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

**Endangered and Threatened Wildlife
and Plants; Finding on a Petition To
List the Pallid Sturgeon**

AGENCY: Fish and Wildlife Service,
Interior.

ACTION: Notice of Petition Finding.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces a 90-day petition finding for a petition to amend the List of Endangered and Threatened Wildlife and Plants. The petitioner

presented substantial information that listing the pallid sturgeon (*Scaphirhynchus albus*) may be warranted.

DATES: The finding announced in this notice was made in September 1988. Comments and information may be submitted until further notice.

ADDRESSES: Questions or comments concerning this finding should be submitted to the Missouri River Coordinator, Fish and Wildlife Enhancement, P.O. Box 986, Federal Building, Pierre, South Dakota 57501. The petition, finding, and supporting data are available for public inspection, by appointment, during normal business hours at either of the following Service Fish and Wildlife Enhancement Offices: Suite 405, 134 Union Boulevard, Lakewood, Colorado 80228 or Room 308A, 225 South Pierre Street, Pierre, South Dakota 57501.

FOR FURTHER INFORMATION CONTACT: Dr. Kent K. Keenlyne, Pierre (605/224-8693), or Dr. James L. Miller, Denver (303/236-7398 or FTS 776-7398), at the above addresses.

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(A) of the Endangered Species Act (Act) of 1973, as amended in 1982 (16 U.S.C. 1531 et seq.), requires that the U.S. Fish and Wildlife Service (Service) make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information to demonstrate that the petitioned action may be warranted. To the maximum extent practicable, this finding is to be made within 90 days of receipt of the petition, and the finding is to be published promptly in the *Federal Register*. If the finding is positive, the Service is also required to promptly commence a review of the status of the involved species.

The Service has received and made a 90-day finding on the following petition:

A petition from Mr. Peter Carrels was dated May 25, 1988, and received by the Service on June 16, 1988. The petition requested the Service to list the pallid sturgeon (*Scaphirhynchus albus*) as an endangered species. Status review for the pallid sturgeon was initiated by a notice of review published December 30, 1982 (47 FR 58454).

The petition stated that the pallid sturgeon is known only from the Missouri River, and the Mississippi River downstream from the mouth of the Missouri River. The petition and accompanying documentation indicated that the survival of the species is threatened by a declining population,

alteration of water temperatures and quality, blockage of fish movement, apparent reproductive failure, hybridization with the shovelnose sturgeon, and past and present habitat destruction or modification. After a review of the petition, accompanying documentation, and references cited therein, the Service found that the petition presented substantial information that the requested action may be warranted. Within 1 year from the date the petition was received, a finding as to whether the petitioned action is warranted is required by section 4(b)(3)(B) of the Act.

Author

This notice was prepared by Dr. Kent K. Keenlyne, Fish and Wildlife Enhancement, P.O. Box 986, Federal Building, Pierre, South Dakota 57501 (605/224-8693).

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.; Pub. L. 93-205, 87 Stat. 884; Pub. L. 94-359, 90 Stat. 911; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; Pub. L. 97-304, 96 Stat. 1411); Pub. L. 99-625, 100 Stat. 3500 (1986), unless otherwise noted.

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

Dated: February 13, 1989.

Becky Norton Dunlop,

Assistant Secretary for Fish and Wildlife and Parks.

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